

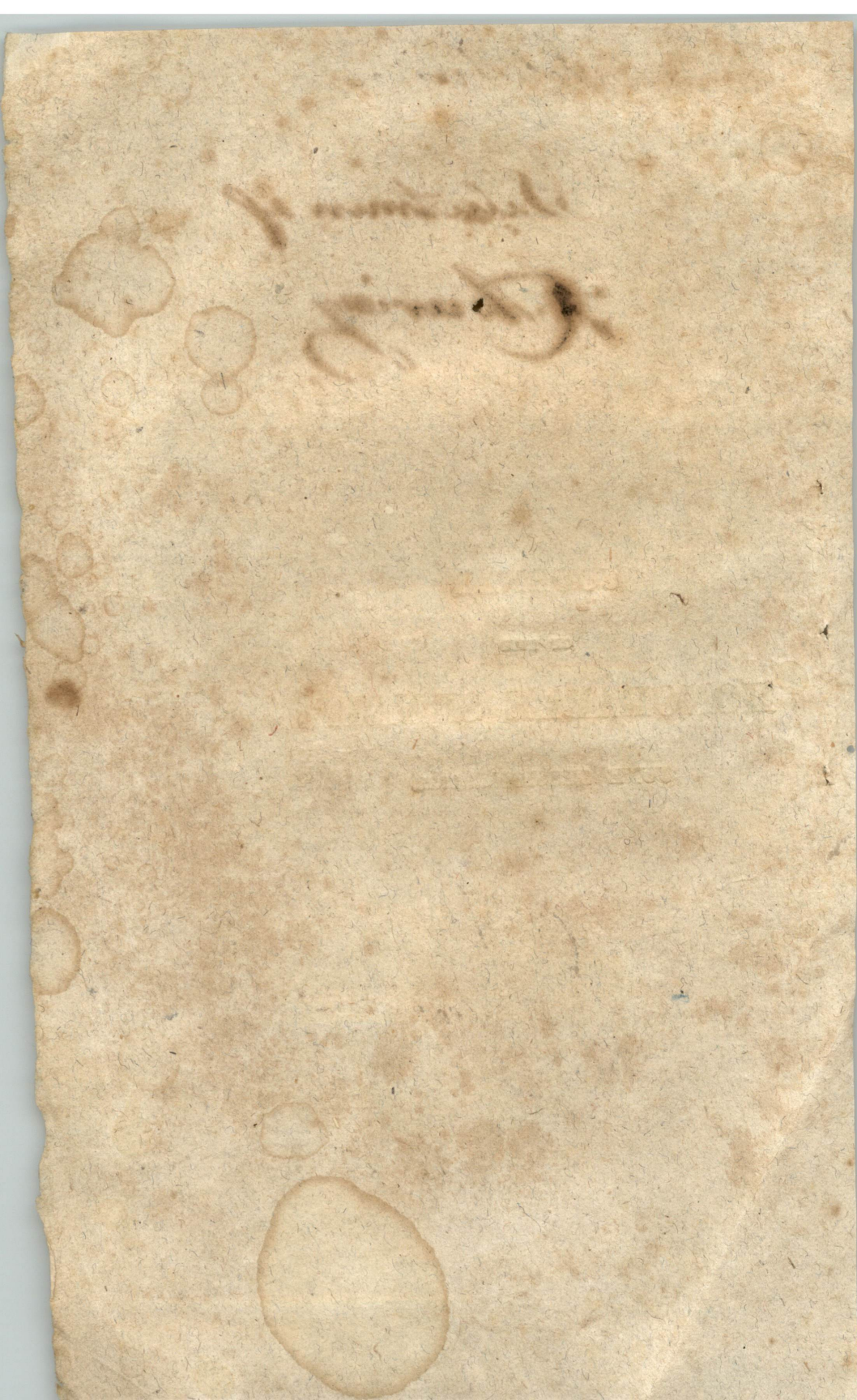
The Selection

*Selection of
A. Thuring*

JOURNAL
OF THE
HONORABLE SENATE.

JUNE SESSION.....1812.

Done



JOURNAL
OF THE
HONORABLE SENATE

OF THE
STATE OF NEW-HAMPSHIRE,

AT THEIR SESSION

BEGUN AND HOLDEN AT

CONCORD,

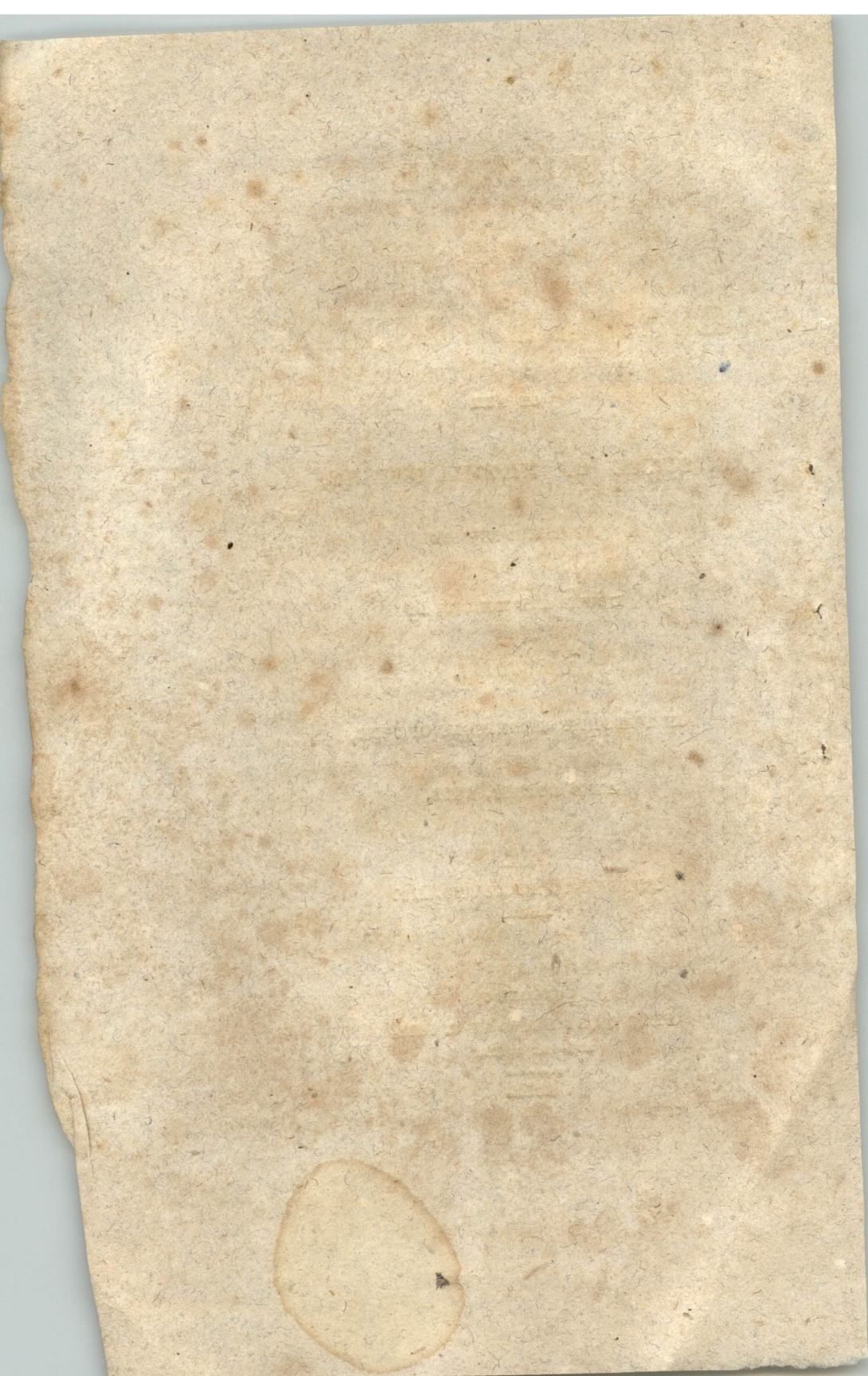
ON THE FIRST WEDNESDAY OF JUNE,

ANNO DOMINI, 1812,

PUBLISHED BY AUTHORITY.

CONCORD :
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FOR THE STATE.

.....
1812.



JOURNAL

OF THE

HONORABLE SENATE.

WEDNESDAY, JUNE 3, 1812—

THE constitutional period for the assembling of the General Court of New Hampshire ; the following Members of the Honorable Senate attended, were duly qualified, and took their seats.

The Hon. William Ham, for District	No. 1.
— — —,	No. 2.
William Adams,	No. 3.
Josiah Sanborn,	No. 4.
Beard Plumer,	No. 5.
Samuel Quarles,	No. 6.
William Fisk,	No. 7.
— — —,	No. 8.
Levi Jackson,	No. 9.
Roger Vose,	No. 10.
Daniel Kimball,	No. 11.
Moor Russell,	No. 12.

Constituting a quorum.

Proceeded and made choice of the Honorable Moor Russell for Chairman.

Proceeded, by ballot, to the choice of a Clerk of the Senate, and Henry B. Chase was elected to that office, who took the oath prescribed by the Constitution.

Voted, That James Bufwell be door-keeper for the Senate.

Voted, That the Senate be governed by the rules of the last session, until others are established.

Message by Mr. Morrill :

“ Mr. Chairman,

“ I am directed to inform the Honorable Senate, that a quorum of the House of Representatives is assembled ; that they have elected the Honorable Clement Storer for their Speaker, Moses L. Neal, Esq. Clerk, Nathaniel Weare, Esq. Assistant Clerk, and are ready to proceed to business.” And he withdrew.

On motion,

Ordered, That the Clerk inform the Honorable House of Representatives, that a quorum of the Senate is assembled, that they have made choice of the Honorable Moor Russell for their Chairman, and are ready to proceed to business.

Message by Mr. Cutts :

“ Mr. Chairman,

“ The House of Representatives are now ready to join in convention, to proceed in the elections.” And he withdrew.

The Senate met in convention with the Honorable House, and proceeded to fill the vacancy in the second and eighth Senatorial Districts.

The Secretary informed the convention, that the candidates in district No. 2, were Simeon Folsom and Bradbury Cilley, Esquires ; and in district No. 8, Joshua Darling and David Heald, Esquires.

The convention proceeded by joint ballot to vote for Senator in district No. 2. and made choice of the Honorable Simeon Folsom, Senator for that district.

Proceeded in the same way and made choice of the Honorable Joshua Darling, Senator for district No. 8.

Voted, That the Chairman of the Honorable Senate be requested to give notice to the Honorable Simon Folsom and Joshua Darling, of their elections as Senators, and desire their attendance.

The Secretary then laid before the convention the returns of votes from the several towns in the State for Governor; and after forming a list, and entering the votes in the presence of both Houses—Voted, That Messrs. Cutts, Sanborn, T. W. Thompson, Jackson and D. L. Morrill be a committee to examine, compare and cast the number of votes for Governor, and report thereon.

The convention then adjourned to nine o'clock to-morrow morning, and the Senate returned to their Chamber.

A vote for a committee to report the etiquette of procedure on to-morrow, was brought up, read and concurred:

Messrs. Jackson and Quarles joined.

A vote for a committee to procure a chaplain to officiate the present session, and inform His Excellency the Governor and the Honorable Council of the time and place of attending prayers, and report thereon, was brought up, read and concurred:

Mr. Adams joined.

A vote for a committee to procure a room for the accommodation of His Excellency the Governor and the Honorable Council during the present session, and report thereon, was brought up, read and concurred:

Mr. Sanborn joined.

Adjourned to eight o'clock to-morrow morning.

THURSDAY, JUNE 4, 1812.

Met according to adjournment.

Present as yesterday.

The Honorable Joshua Darling, Esq. was introduced by the Secretary, and took his seat.

A vote for a committee to consider the petition of Jonathan Payson, and report thereon, was brought up, read and concurred :

Mr. Adams joined.

Message by Mr. Toppan :

“ Mr. Chairman,

“ The House of Representatives are now ready to join in convention to proceed in the elections.” And he withdrew.

The Senate met the Honorable House in convention, and voted to adjourn to ten o'clock this forenoon. The Senate then returned to their Chamber.

A vote for a committee to consider the petition of Gideon Walker and others, and all similar petitions that may be presented the present session, and report thereon, was brought up, read and concurred :

Messrs. Fisk and Ham joined.

A vote for a committee to consider the petition of John Mann and others, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to report what business was left unfinished at the last session, and that is necessary to be taken up and acted upon, was brought up, read and concurred :

Mr. Ham joined.

A vote for a committee to take into consideration
“An act for the ease and relief of persons imprisoned
for debt;” and “An act in addition thereto,” and
report by bill or otherwise, was brought up, read and
concurred :

Mr. Vose joined.

A vote for a committee to consider the account of
S. Whidden, and all printers’ accounts which may be
presented the present session, and report thereon, was
brought up, read and concurred :

Mr. Plumer joined.

A vote for a committee to take into consideration
the laws for regulating the Militia, and report by bill
or otherwise such alterations and amendments as they
may judge necessary, was brought up, read and con-
curred :

Messrs. Adams and Quarles joined.

A vote for a committee to consider the petition of
Benjamin Snow, and report thereon, was brought up,
read and concurred :

Mr. Kimball joined.

A vote for a committee to consider the account of
Thomas Bellows, Esq. Sheriff of the County of Chesh-
ire, and all Sheriffs’ accounts which may be presented
the present session, and report thereon, was brought
up, read and concurred :

Mr. Fisk joined.

Message by Mr. Morrill :

“Mr. Chairman,

“I am directed to inform the Honorable Senate,
that the House of Representatives are ready to join in
convention to proceed in the elections.” And he
withdrew.

The Senate met the Honorable House in convention, when the committee appointed to examine, compare and cast the votes for Governor, made the following Report—viz.

“ That the whole number of votes for Governor is thirty-one thousand nine hundred and eighty-two; fifteen thousand nine hundred and ninety-two are necessary to make a choice; the Honorable John Taylor Gilman has fifteen thousand six hundred and thirteen; the Honorable William Plumer has fifteen thousand four hundred and ninety-two; the remaining eight hundred and seventy-seven are scattering votes, from which it appears that no person is chosen by the people.

“ Submitted by

JOSIAH SANBORN, for the Committee.”

Which report was read and accepted.

The convention proceeded by joint ballot to vote for Governor; the whole number of votes were one hundred and eighty-six; the Honorable William Plumer, having one hundred and four votes, was declared elected.

The convention then adjourned to nine o'clock tomorrow morning, and the Senate returned to their Chamber.

A vote for a committee to wait on the Rev. Mr. Bradford, and present him with the thanks of the Legislature for his ingenious discourse delivered before His Excellency the Governor, the Honorable Council and both branches of the Legislature, and request a copy for the press, was brought up, read and concurred:

Mr. Ham joined.

A vote for a committee to take up the subject of the

choice of Secretary of State, and Samuel Sparhawk, Esq. was unanimously elected to that office.

Proceeded in the same way to the choice of Treasurer, and Nathaniel Gilman, Esq. was elected to that office.

Proceeded as above to the choice of Commissary General, and William Ham, jun. was elected to that office.

The convention arose with leave to sit again, and the Senate returned to their Chamber.

A vote that the resolve respecting the procuring a suitable piece of ordnance, &c. for the company of Artillery in the 35th regiment, and the papers accompanying the same, be referred to the committee on the law for regulating the Militia, and report thereon, was brought up, read and concurred.

A vote for a committee to consider the account of Michael M'Clary, Esq. Adjutant General, and also the account of William Ham, jun. Commissary General, and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

A vote for a committee to prepare and report a law, directing the mode of choosing Electors in this State of President and Vice President of the United States, was brought up, read and concurred :

Messrs. Vose and Ham joined.

A vote for a committee to consider the petition of Benning Simes and others, and report thereon, was brought up, read and concurred :

Mr. Plumer joined.

A vote for a committee to consider the petition of John Goddard, Esq. and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

A vote for a committee to wait on Samuel Sparhawk, Esq. and inform him of his election to the office of Secretary, and Nathaniel Gilman, Esq. and inform him of his election to the office of Treasurer, and if they accept, to receive from them bonds for the faithful discharge of their respective offices, and lay the same before the Legislature, was brought up, read and concurred :

Mr. Jackson joined.

A vote that the petition of Joseph Whipple, Esq. be referred to the committee on the petition of Benning Simes and others, and report thereon, was brought up, read and concurred.

A vote for a committee to consider the expediency of regulating by law the forms of the returns of votes for State officers, and that they report by bill or otherwise, was brought up, read and concurred :

Messrs. Vose and Fisk joined.

A vote that the committee appointed to wait on the Rev. Mr. Bradford, procure five hundred printed copies of his Election Sermon, and lay the same before the Legislature, was brought up, read and concurred.

A vote for a committee to consider the petition of Daniel Hawkins and others, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to consider the account of Eber Carpenter, Brigade Inspector, and all Brigade Inspectors' accounts presented the present session, and report thereon, was brought up, read and concurred :

Mr. Sanborn joined.

A vote for a committee to take into consideration

necessity of two sessions of the General Court the present year, and the propriety of taking a new proportion of public taxes if two sessions are deemed necessary, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to wait on the Honorable William Plumer, and inform him of his election to the office of Chief Executive Magistrate of the State of New Hampshire the present year, and that the Legislature will be ready, in the Representatives' Chamber, to receive any communications he may think proper to make, at such time as he may appoint, was brought up, read and concurred :

Mr. Quarles joined.

On motion,

Proceeded by ballot to the choice of a President of the Senate, and the Honorable Joshua Darling was elected to that office.

Proceeded to the choice of an Assistant Clerk of the Senate, and Peter C. Farnum, Esq. was elected to that office, and took the oath prescribed by the Constitution.

Adjourned to eight o'clock tomorrow morning.

FRIDAY, JUNE 5, 1812.

Met according to adjournment.

Present as yesterday.

A vote that the petition of Thomas Bellows and others, be referred to the committee on the Militia

law, and report thereon, was brought up, read and concurred.

A vote that the account of Levi Willard, Esq. be referred to the committee on the account of Thomas Bellows, Esq. and report thereon, was brought up, read and concurred.

A vote for a committee to consider the petition of Eleazer Spofford and Thomas Bellows, and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

A resolve that the account of Charles Tappan, amounting to four dollars fifty cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote for a committee to consider the petition of Benjamin Boardman and others, and report thereon, was brought up, read and concurred :

Mr. Fisk joined.

Message by Mr. Toppan ;

“ Mr. President,

“ The House of Representatives are now ready to join in convention to proceed in the elections,” And he withdrew.

The Senate met the Honorable House in convention to proceed in the elections ; and after forming a list and entering the votes for Counsellors in the several counties in this State—Voted, That Messrs. Parrott, Odell, Ayer, Wood and Hutchins be a committee to examine, compare and cast the same, and report thereon.

On motion,

The convention proceeded by joint ballot to the

the petition of Mary Chapin and others, and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

A vote for a committee to consider the petition of Jonathan Willard and William Howe, and report thereon, was brought up, read and concurred :

Mr. Vose joined.

A vote that the committee appointed to take into consideration the Act for the ease and relief of persons imprisoned for debt, and the Act in addition to the same, be also requested to take into consideration the Act of this State, passed February 15th, 1791, regulating bail in civil causes, and report by bill or otherwise, was brought up, read and concurred.

A vote granting the prayer of the petition of Abraham True and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of Samuel Plaisted and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

A vote granting the prayer of the petition of Benning Simes and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to take into consideration the law of this State, regulating fees of Probate Courts, and report thereon by bill or otherwise such alterations and amendments as they shall judge proper, was brought up, read and concurred :

Mr. Vose joined.

A vote for a committee to take into consideration the expediency of making alterations in the judicial system of this State, with a view of establishing terms for Jury trials, and other terms for the trials of questions

of law, and that they report by bill or otherwise, was brought up, read and concurred :

Messrs. Ham and Jackson joined.

Adjourned to eight o'clock to-morrow morning.

SATURDAY, JUNE 6, 1812.

Met according to adjournment.

Present as yesterday.

A vote for a committee to take into consideration the expediency of providing by law, for the compensation of the militia when called into actual service, and report thereon, was brought up, read and concurred :

Messrs. Kimball and Sanborn joined.

The Honorable Mr. Quarles, from the committee to wait on the Honorable William Plumer, informing him of his election to the office of Chief Executive Magistrate of this State ; informed the Senate, " that the Governor elect will make his communications to both branches of the Legislature, in the Representatives' Chamber, at half past nine o'clock this forenoon."

A vote for a committee to wait upon the Governor elect, and escort him to the Representatives' Chamber at half past nine o'clock this forenoon, the time by him assigned to make his communications, was brought up, read and concurred :

Messrs. Quarles and Sanborn joined.

Message by Mr. Parrott :

" Mr. President,

" The House of Representatives are now ready to join in convention to proceed in the elections." And he withdrew.

The Senate met the Honorable House of Representatives in convention to proceed in the elections.

The committee, appointed by the convention, to examine the returns of votes for Counsellors in the several Counties, and compare and cast the numbers, Reported—

“ That in the County of Rockingham, the whole number of votes is seven thousand six hundred and forty-four ; necessary to make a choice, three thousand eight hundred and twenty-two ; that the Honorable Elijah Hall has three thousand nine hundred and eighty-seven, and is elected.

“ That in the County of Strafford, the whole number of votes is five thousand four hundred and eighty-three ; necessary to make a choice, two thousand seven hundred and forty-two ; that the Honorable Nathaniel Upham has two thousand nine hundred and eighty-one, and is elected.

“ That in the County of Hillsborough, the whole number of votes is six thousand two hundred and thirty-eight ; necessary to make a choice, three thousand one hundred and twenty ; and that the Honorable Jedidiah K. Smith has three thousand seven hundred and forty-two, and is elected.

“ That in the County of Cheshire, the whole number of votes is five thousand eight hundred and fifty-nine ; necessary to make a choice, two thousand nine hundred and thirty ; and that the Honorable Ithamar Chase has three thousand two hundred and seven, and is elected.

“ That in the Counties of Grafton and Coos, the whole number of votes is four thousand four hundred and seventy-eight ; necessary to make a choice, two thousand two hundred and forty ; and that the Hon-

orable Jonathan Franklin has two thousand four hundred and ninety-five, and is elected.

"The certificate from the town of Sullivan, in the County of Cheshire, is, in the opinion of the committee, illegal, and is not included in the foregoing aggregate.

"JOHN F. PARROTT, for the Committee."

Which report was accepted.

The convention then arose with leave to sit again, and the Senate returned to their Chamber.

A vote for a committee to wait on the Honorable Elijah Hall, Nathaniel Upham, Jedidiah K. Smith, Ithamar Chase and Jonathan Franklin, Esquires, and inform them of their election as Counsellors for the present year, was brought up, read and concurred :

Mr. Fisk joined.

A vote that the account of Josiah Butler, Esq. be referred to the committee on the account of Josiah Bellows, Esq. and that they report thereon, was brought up, read and concurred.

A vote that the petition of William Harris and others, be referred to the committee on the Militia laws, and report thereon, was brought up, read and concurred.

A vote for a committee to consider the petition of Robert Pike and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

The Senate proceeded to the Representatives' Chamber, when the Honorable William Plumer came in, escorted by the committee, and attended by the Honorable Council, and manifested his acceptance of the office of Chief Executive Magistrate : He then took and subscribed the oath of office prescribed by the Con-

stitution, which was administered by the Honorable Joshua Darling, President of the Senate, who then, in presence of both branches of the Legislature, declared His Excellency William Plumer Governor of the State of New Hampshire.

His Excellency then addressed both branches of the Legislature in the following

SPEECH :—

*Fellow-Citizens of the Senate,
and House of Representatives,*

HAVING accepted the office of Governor of New-Hampshire for the present year, permit me to express to you, and through you to the Freemen of the State, my grateful sense of this distinguished honor ; and my resolution, aided by your wisdom and experience, so to discharge the duties of this responsible trust, as shall evince to the world that the honors of office are conferred, not for the emolument of the incumbent, but to enable him more effectually to vindicate the rights, and promote the happiness of the people over whom he presides. Though my ambition, to perform acceptably the duties of office, is raised by a consideration of the manner in which my immediate predecessor, for a series of years, has so ably and prudently discharged the duties of Chief Magistrate, I ought not, perhaps, to expect that general approbation, which his long and patriotic services have so justly obtained. May he long continue to enjoy, what he has richly merited, *the confidence of a grateful people*....the noblest reward of public service ; and when, at some distant period, he shall be removed, from this to a better world, may he receive the approving plaudit of his parent, God !

The intimate connexion which subsists between the United States and each individual State in the Union

renders the proceedings of the General Government at all times interesting to us, as a member of that Union ; but peculiarly so at this eventful era, in which the state of our foreign relations presents an aspect more truly alarming than at any former period. From both France and England we have long suffered, and still continue to suffer, great injustice. They have unjustly captured and condemned our commerce, imprisoned and held in servitude our seamen, and grossly violated our national rights ; whilst towards both those nations, the government of the United States has steadily and uniformly pursued a course of conduct founded in the strictest justice, and marked with the most impartial neutrality. The government of France, sensible of the wrongs she has inflicted, has, in some measure, changed her conduct towards this country ; and though our suffering citizens have not received restitution for the injuries they have suffered, yet there is ground to hope that we shall eventually obtain substantial justice from that Empire. Should, however, these hopes end in disappointment, I have no doubt our government will eventually adopt such measures as will cause our rights to be duly respected.

But the conduct of Great-Britain towards the United States still manifests a spirit of obstinate perseverance in measures hostile to our dearest interests and most essential rights. She has impressed thousands of our seamen, forced them to serve on board her public ships, and, in the event of a war, will no doubt compel them to shed the blood of their innocent brethren and unoffending countrymen. She has unjustly captured and condemned our vessels and cargoes ; permitted her subjects publicly to forge and counterfeit our ship-papers, and assume the American flag, thereby exciting suspicion

against our mercantile character, and subjecting our lawful commerce to capture by other belligerent powers. And, as if these flagrant acts of injustice did not afford sufficient evidence of her deadly hostility, she has sent spies into our country, to alienate the affections of our citizens from their own government, and effect a dismemberment of the Union. Against these outrages and aggressions the government of the United States, preferring negociation to war, has long and patiently sought redress—and even supplicated for justice, till it has approached a state of humiliation incompatible with national dignity. But Great-Britain, goaded on by the prejudices engendered by our revolutionary war, and jealous of our increasing maritime greatness, (a greatness which at no distant period may deprive her of the first rank among commercial nations) has treated our just claims with neglect, and added insult to injury.

In this state of affairs, but one alternative remained, either tamely to surrender our rights, or manfully to prepare for their defence. A nation of freemen could not long hesitate between submission and war. Congress has therefore, with great unanimity, resolved to adopt, and are prosecuting with a correspondent spirit, effective measures for defence; and unless the good sense, or the fears, of Great-Britain shall induce her to do us substantial and speedy justice, these preparations will most probably terminate in a state of war. Though war is a great calamity, the sacrifice of our essential rights is greater. It is with a nation as with an individual; there is a point of suffering beyond which forbearance, instead of repelling, invites aggression. If we cherish a spirit of submission to a foreign power, and tamely acquiesce in the loss of one right after another, we shall thereby prepare the public mind for a

state of degradation and servitude, more dreadful in its consequences than that of war; for a nation cannot long survive the loss of its spirit. We have many years enjoyed a state of peace and tranquillity far exceeding that of other people—and what claim have we to an exemption from the calamities common to all nations? Should the government of the United States eventually be compelled, in vindication of our rights, to resort to war, I have entire confidence that, under the protection of Divine Providence, the wisdom of our government, the resources of our country, and the patriotism of our citizens, will be found equal to the arduous conflict. And I trust that the good citizens of N. Hampshire will cordially unite, and at all hazards steadily support those measures which the government of their own choice may adopt, and that we shall have no interest or feeling discordant to that of the Nation.

The constitution of the United States was not only established by the people, but the officers who administer it are elected by the people, and at short and limited periods must return to the rank of citizens, to feel the effects and bear the burthens they themselves have imposed. As the interest of the people is equally their interest, they can have no sufficient motive to make laws injurious to the community; they are therefore entitled to our reasonable confidence, that they will adopt those measures only, which to them appear best calculated to promote the common good. The great and virtuous Washington, speaking of this government, says, "Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty." It is one of the first principles of government, that the will of

the constituted authorities, expressed by the acts of the majority, demand the obedience of every citizen. Nor is it less the peculiar province of the General Government to direct and manage our national affairs, than it is our indispensable duty and highest interest, to afford them our prompt and effective aid, in carrying into operation all their constitutional measures. Permit me then, Gentlemen, to recommend to you the adoption of such measures, as shall have a direct tendency to assimilate the views and feelings of the good citizens of this State to a friendship with our sister States, and a union of sentiment and firm attachment to the United States. If those who most freely indulge a propensity to complain against the measures of administration, were at the same time obliged to propose a substitute for what they censure, they would find that rulers have frequently but *a choice of difficulties*, and would themselves be compelled often to approve what they now loudly condemn. It is from a spirit of jealousy and division, that we have more to apprehend, than from the boasted power of both the belligerents of Europe. But as the danger to which we are exposed from abroad increases, may we not reasonably hope that our union among ourselves will also increase. In the infancy of our independence, *common danger* not only united us, but even supplied, in many cases, the defects of a feeble system of government, which possessed the power to recommend, but not the authority to enforce its requisitions. Union is the vital strength of a nation, particularly so of a Republic, whose authority rests on *public opinion*. Our union is our safety—*a house divided against itself cannot stand*. An indissoluble union of the States is essential, not only to our prosperity, but even to our existence as a nation.

The people of the United States are the source of sovereignty ; of these the militia of each State compose an essential part, and, when well regulated, form our most " natural and sure defence." The actual State of the nation now requires that we should be placed in the best posture of defence ; every measure that tends to the public safety is of the first importance. To render a military force formidable, it must be well organized, armed and disciplined. Though the militia of this State have made considerable progress in obtaining arms, and acquiring a knowledge of military tactics, you will, no doubt, adopt such further measures as may be requisite to complete their improvement. Perhaps no one thing is more necessary than a further supply of arms. And permit me to suggest for your consideration the propriety of directing that all the battalion musters, through the State, should be on one and the same day. Would not such a provision have a tendency to increase the number of arms and accoutrements, by preventing the practice of soldiers borrowing them from each other ? Would it not also render regimental musters less necessary, and thus save travel and expense to many of that useful class of citizens ?

The restrictions and embarrassments which the belligerents of Europe have unjustly imposed upon our commerce, have induced many of our citizens to devote their time and wealth to the increase and improvement of domestic manufactures. The prosperity of these, will have a direct tendency to render us less dependant upon foreign nations, and more dependant upon ourselves. Blest with a country of various climates, abounding with raw materials of every kind, and a people truly industrious and highly ingenious in the mechanical arts, we are capable of supplying ourselves

with the necessities and conveniences, if not with the luxuries of life. By the increase of manufactures we shall enlarge our internal commerce ; and different portions of our country will mutually supply the wants of each other, and add strength to the bond of our Union. To patronize and support agriculture and manufactures is within the peculiar province of the State Legislatures ; and I presume, it is no less your inclination than your duty, to consider whether these important subjects require further legislative aid.

As it is highly probable that the State Prison will, in the course of this season, be completed, it will be necessary that our code of criminal law should be revised, and also police laws enacted for the government of this new and important institution. At the last session of the legislature, a committee was appointed to report bills for these purposes.

The duties imposed by law, on the Judges of the several courts of Probate, require much of their time and attention ; but their fees and emoluments appear to me inadequate. Of the fees received in the probate office, the Register, whose duties are merely mechanical, receives about two thirds, and the Judge, on whom the weight of responsibility rests, has only the remainder. If the fees, allowed to the Judge and Register, are adequate to their services, I submit it the consideration of the Legislature, whether the present apportionment of them is such as their respective services merit.

Acts of incorporation, of various kinds, have within a few years greatly increased in this State ; and many of them, being in the nature of grants, cannot with propriety be revoked without the previous consent of the grantees. Such laws ought therefore to be passed with

great caution ; many of them should be limited to a certain period, and contain a reservation authorizing the Legislature to repeal them, whenever they cease to answer the end for which they were made, or prove injurious to the public interest.

As the Electors of President and Vice President of the United States are to be chosen the present year, it will be requisite you should determine the mode in which they shall be chosen in this State.

The time is approaching for the citizens of this State again to elect their Representatives to the Congress of the United States : permit me therefore to recommend to you the propriety of passing a law inflicting a penalty upon the town clerks and sheriffs, who may be delinquent in making due return of votes for members of Congress—there being no statute in force upon that subject.

The period for which one of the Senators from this State to the Congress of the United States was appointed, will expire with the third of March next ; you will determine the time when it will be most proper to fill the vacancy.

As the Constitution has made it necessary, that there should be a new valuation of the rateable estates taken once in every five years, it will be necessary to pass a resolution, authorizing and directing the selectmen of the several towns to take and return the same next year.

The state of the Treasury will be laid before you ; from an examination of which, and your own knowledge of the fiscal concerns of the state, you will decide whether it be proper to raise a tax for the services of the ensuing year.

The people of this State, with great propriety, have made it our express duty “to cherish the interests of literature and science.” All good systems of government, and more especially all republican institutions, are founded on the information and virtue of the people—these constitute the main pillars in the temple of freedom. The moral and social virtues cannot flourish where gross ignorance prevails—*without knowledge, the heart cannot be good.* Knowledge tends to purify the affections, soften the manners, and exalt the views of a people. Good governments have as much to hope, as bad ones to fear, from a well informed, enlightened people. Let it therefore be our enquiry, whether any further provisions are requisite to improve and extend the means of general information.

Assembled, as you gentlemen are, from the various sections of the State, bringing with you the sentiments and feelings of the people, and being intimately acquainted with their wants and grievances, you are well qualified to provide for the one and redress the other. With unshaken reliance upon that Providence which directs the destiny of States and Nations, let us rise superior to all improper considerations, and with one heart and one mind discharge the duties of our respective stations. It will be my object, as it is my duty, to co-operate with you in such measures as may tend to promote the interest and advance the happiness of our constituents.

WILLIAM PLUMER.

State of New-Hampshire,

June 6th, 1812.

His Excellency the Governor and the Honorable Council then withdrew, and the Senate returned to their Chamber.

Voted, That the Honorable Messrs. Quarles, Jackson and Sanborn, be a committee to prepare an answer to His Excellency's address, and report the same to the Senate.

The Honorable Simeon Folsom, Esq. was introduced by the Secretary and took his seat, making a full Senate.

Voted, That the Honorable Messrs. Kimball, Folsom and Fisk, be a committee to report rules for the regulation of the Senate.

A vote that the prayer of the petition of Philip Carrigain, Esq. be so far granted, that he have liberty to bring in a resolve, was brought up, read and concurred.

A resolve, that Philip Carrigain, Esq. have leave to obtain from the Secretary's office the original Plan of the State; and such of the plans of the several towns as he may deem useful towards the completion of his map of the State, by his giving sufficient security to the Secretary for the same, to be returned within ten days, was brought up, read and concurred.

Presented and approved.

Adjourned to Monday next, three o'clock, P. M.

MONDAY, JUNE 8, 1812.

Met according to adjournment.

Present as on Saturday.

A bill entitled "An act to incorporate certain persons by the name of the Proprietors of the Hampton-Falls Social Library," was brought up, and having been read a third time, was enacted.

Presented and approved.

A vote for a committee to take into consideration an Act, prescribing the duty, and regulating the office of Sheriff, and report by bill or otherwise, was brought up, read and concurred :

Mr. Adams joined.

A vote for a committee to consider the petition of Samuel Stevens and others, and report thereon, was brought up, read and concurred :

Mr. Vose joined.

A vote for a committee to consider the account of Daniel French, Esq. and report thereon, was brought up, read and concurred :

Mr. Adams joined.

A vote granting a day of hearing on the petition of Eleazer Spofford and Thomas Bellows, before the General Court on the first Tuesday of their next session, was brought up, read and concurred.

The following communication was received from His Excellency the Governor, by S. Sparhawk, Secretary.

To the Senate and House of Representatives,

I communicate to the Legislature, for their information, the Treasurer's account of the state of the Treasury, the monies paid by him to the agents of the State Prison, and his report upon the impost and excise bonds, and the note given by the late David Hillhouse of this State.

WILLIAM PLUMER.

June 8, 1812.

A vote for a committee to take into consideration so much of His Excellency's communication as relates to domestic manufactures, and report thereon, was brought up, read and concurred :

Mr. Sanborn joined.

A vote for a committee to consider the petition of Thomas P. Richardson and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

A vote for a committee to consider the petition of Richard Morrill and others, and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

A vote that the account of Benjamin Pierce, Esq. be referred to the committee on the account of Thomas Bellows, Esq. and report thereon, was brought up, read and concurred.

A vote for a committee to take into consideration so much of His Excellency's communication as relates to literature and science, and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

A vote that the account of William Tarlton, Esq. be referred to the committee on the account of Thomas Bellows, Esq. and that they report thereon, was brought up, read and concurred.

A vote for a committee to consider the petition of Francis Sawyer and Jacob Gerrish, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

A vote for a committee to take into consideration so much of His Excellency's communication as relates to the delinquency of Sheriffs and Town Clerks, in making returns of votes for Representatives to Congress, and report thereon, was brought up, read and concurred :

Mr. Adams joined.

A vote for a committee to consider the laws relat-

ing to attachment of real estate, and report by bill or otherwise, was brought up, read and concurred :

Mr. Vose joined.

Adjourned to eight o'clock to-morrow morning.

TUESDAY, JUNE 9, 1812.

Met according to adjournment.

Present as yesterday.

A vote granting the prayer of the petition of Simeon Olcott and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of Lot Woodbury and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

A vote for a committee to consider the petition of William Curtis, and report thereon, was brought up, read and concurred :

Mr. Folsom joined.

A vote for a committee to consider the petition of Thomas Beede and others, and report thereon, was brought up, read and concurred :

Mr. Fisk joined.

Message by Mr. Prescott :

" Mr. President,

" I am directed to inform the Honorable Senate, that the House of Representatives are ready to meet in convention, on the public hearings, agreeable to the order of the day." And he withdrew.

The Senate met the Honorable House in convention, and after attending to sundry public hearings, the

convention arose with leave to sit again, and the Senate returned to their Chamber.

A vote for a committee to take into consideration so much of his Excellency's communication as relates to the duration of corporations, and that they report thereon, was brought up, read and concurred :

Mr. Sanborn joined.

A vote that the petition of Nathan Smith be referred to the committee appointed to take into consideration that part of His Excellency's communication, which relates to literature and science, and that they report thereon, was brought up, read and concurred.

A vote that the account of the officers of the company of the artillery annexed to the twenty-third Regiment, be referred to the committee on the account of Michael M'Clary, Esq. and that they report thereon, was brought up, read and concurred.

The following communication was received from His Excellency the Governor, by S. Sparhawk, Esq. Secretary ;

To the Senate and House of Representatives.

I herewith communicate for your information, a copy of an act for the apportionment of Representatives among the several States according to the third enumeration, and a letter from the Secretary of State of the United States on that subject ; also a copy of the law of the State of New-York upon the improvement of the internal navigation of that State ; a letter and two reports from the commissioners of their inland navigation, together with two letters from the secretary of those commissioners and remarks on the subject of said canal.

WILLIAM PLUMER.

June 9, 1812.

Voted, That Mr. Vose, with such as the House of Representatives may join, be a committee to take into consideration the documents this day communicated by His Excellency the Governor, and report thereon. Sent down for concurrence.

A vote for a committee to call on Philip Carrigain, Esq. and inquire into the situation of the Map of this State, and report thereon, was brought up, read and concurred :

Mr. Vose joined.

A vote granting the prayer of the petition of Richard H. Ayer and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of the petition of Daniel Hawkins and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of John L. Sullivan and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of Phineas Falch and others, and report thereon, was brought up, read and concurred :

Mr. Adams joined.

A vote for a committee to inquire into the expediency of legislative interference respecting the lands in this State, reserved for Glebes for the Church of England excepting in those towns where Episcopal Clergymen are settled and regular churches ; also, respecting the lands in this State reserved for the use of the Society in England, for propagating the gospel in foreign parts, and that they be authorized to report by bill or otherwise, at this or the next session of the Legislature, was brought up, read and concurred :

Messrs. Vose and Ham joined.

A vote that the committee to whom the subject of reporting a law relative to the choice of Electors of President and Vice President of the United States is committed, be instructed to consider the expediency of respectfully requesting the Executive, to cause precepts to be issued to the several towns in this State, to call meetings for the choice of Representatives to Congress, on the first Monday of November next, or on such day as the meetings of the towns may be called for the choice of Electors of President and Vice President of the United States, and that said committee consider also the expediency of dividing the State into districts for the choice of Representatives to Congress, and report by bill or otherwise, was brought up, read and concurred.

A vote for a committee to take into consideration so much of His Excellency's communication as relates to the choice of a Senator for Congress, and report thereon, was brought up, read and concurred :

Mr. Fisk joined.

A vote for a committee to report what compensation shall be made to the Rev. Mr. Bradford for preaching the election sermon, was brought up, read and concurred :

Mr. Ham joined.

Message by Mr. Ayer ;

" Mr. President,

" The House of Representatives are now ready to meet in convention to proceed in the public hearings." And he withdrew.

The Senate met the Honorable House in convention, and after attending to the hearing on the petition of Ebenezer Eastman and David Chase, and the petition of Ebenezer Eastman and Joshua Fifield, the con-

vention arose with leave to sit again, and the Senate returned to their Chamber.

The Governor, by message, communicated the annual report of the Adjutant General upon the Militia ; also, the report of the committee on the Hillsborough Bank.

On reading and considering the Report,

Voted, That Mr. Jackson, with such as the House of Representatives may join, be a committee to take the same into consideration, and report thereon. Sent down for concurrence.

A vote granting the prayer of the petition of Nathan Babbett, jun. with liberty to bring in a bill, was brought up, read and concurred.

A vote that the remainder of the hearings which were to have been this day before the General Court, be postponed until to-morrow at ten o'clock in the forenoon, of which all persons concerned are to take notice and govern themselves accordingly, was brought up, read and concurred.

A vote for a committee to consider the petition of John Akers and others, and report thereon, was brought up, read and concurred :

Messrs. Kimball and Quarles joined.

A vote granting the prayer of the petition of Jonathan Odiorne Bodge, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of the petition of Thomas Beede and others, with liberty to bring a bill, was brought up, read and concurred.

A resolve, that Michael M'Clary, Esq. Adjutant General, be allowed fifty dollars and fifty cents in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Daniel French, Esq. Attorney General, have and receive one hundred and seventy-five dollars, in full for his salary from his appointment to June 1812, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote that the account of I. & W. R. Hill be referred to the committee on the account of Samuel Whidden, and that they report thereon, was brought up, read and concurred.

The committee appointed to prepare rules for the regulation of the Senate, reported the following, which were accepted :

I. The President shall take the chair at the hour to which the Senate shall have adjourned ; and on the attendance of a quorum, shall call the Senate to order, and cause the journals of the preceding day to be read.

II. The President shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate, by any member.

III. Each member shall seasonably and punctually attend his duty in the Senate.

IV. No member, after having been chosen on any committee, shall have the privilege of nominating a person for the same committee ; nor shall any member be allowed to nominate more than one person for the same committee.

V. Every member, when he speaks in debate, or wishes to communicate any matter to the Senate, shall rise from his seat and respectfully address the President.

VI. When any motion is made, it shall be reduced to writing, if the President or any member require it.

VII. Any member may call for a division of a question, when the same is divisible.

VIII. When any motion is before the Senate, no other motion shall be received except for an amendment, for the previous question, for a postponement of the main question, for a commitment, or for an adjournment.

IX. The yeas and nays may be required by any member, and shall be taken in alphabetical order, when every member present shall give his vote, unless for special reasons excused by the Senate.

X. No petition or bill shall be introduced into the Senate, (those received from the Honorable House excepted) unless by a member on motion for that purpose, after stating the object of the petition or title of the bill; and whenever a bill shall not be rejected on its first reading, the time shall be assigned for a second reading of the same, and no bill shall pass to be enacted until it shall have had three several readings; nor shall any bill be read a third time, until an adjournment take place after its second reading.

XI. No member shall absent himself from the Senate, without leave.

XII. When the Senate shall concur in the appointment of a joint committee, consisting of not more than five members from the House, one member only shall be added on the part of the Senate; but when such committee shall consist of more than five members from the House, two members shall be added thereto on the part of the Senate.

XIII. No resolve or vote shall be reconsidered when there is a less number of members of the Senate present than there was at the passing of the same.

A vote granting the prayer of the petition of Richard Morrill and others, with liberty to bring in a bill, was brought up, read and concurred.

Adjourned to eight o'clock to-morrow morning.

WEDNESDAY, JUNE 10, 1812.

Met according to adjournment.

Present as yesterday.

A bill entitled, " An Act to incorporate certain persons by the name of the Proprietors of the North-Hampton Social Library," was brought up, and having been read a third time was enacted.

Presented and approved.

A vote that the petition of Samuel Robie, jun. be referred to the committee on the Militia Laws, and report thereon, was brought up, read and concurred.

A resolve, that the account of Clement Storer, Esq. amounting to six dollars, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the account of John F. Parrott, Esq. amounting to six dollars, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the account of Ebenezer Edwards, Esq. amounting to eighteen dollars, eighty cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the sum of seven hundred dollars be placed in the hands of Michael M'Clary, Esq. Adjutant General, for the several purposes prescribed by law, subject to the control of the Legislature, for the purpose of defraying contingent military expences, and the same be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote granting the prayer of the petition of Ebenezer Eastman and Joshua Fifield, with liberty to bring in a bill, was brought up, read and concurred.

A resolve, that the account of David L. Morrill, Esq. amounting to eighteen dollars, eighty cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote granting the prayer of the petition of Joseph Stone, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of Daniel Smith and others, and report thereon, was brought up, read and concurred :

Mr. Plumer joined.

Message by Mr. T. W. Thompson :

“ Mr. President,

The House of Representatives are now ready to meet in convention to proceed in the public hearings, agreeable to the order of the day.” And he withdrew.

The Senate met in convention with the Honorable House, and after attending to the hearing on the petition of Carr Leavitt and others, and the petition of David Dexter and others, the convention arose with leave to sit again, and the Senate returned to their Chamber.

The following communication was received from His Excellency the Governor by Samuel Sparhawk, Esq. Secretary of State.

To the Senate and House of Representatives,

I herewith transmit, for the consideration of the Legislature, a bill for the revision of the criminal laws ; and also a bill for the regulation and government of the State Prison, reported by a committee appointed by the

Legislature at the last session, together with their letter accompanying those bills.

WILLIAM PLUMER.

June 10, 1812.

The accompanying Letter :

“ To His Excellency William Plumer, Esq. Governor of the State of New-Hampshire.

“ The committee appointed by a resolve of the last session of the Legislature, to revise the code of criminal laws, and to frame regulations for the government of the State Prison, have the honor to present to your Excellency to be communicated to the Legislature, the two bills herewith enclosed, as comprising the provisions, which the committee recommend to the consideration of the Legislature on the subject submitted to them.

“ In attempting the discharge of this duty, it has been the object of the committee, to render the criminal code as mild as the safety of the public and individuals would permit. There are seven crimes, the punishment of which by the present laws of the State, is death. Although this list of capital offences is small, in comparison with the codes of most other countries, the committee, it will be perceived, have thought it would not endanger the well-being of society, to reduce the number to *three*. Treason, Murder and Rape, are the only crimes which will be capital, if the Legislature should deem it expedient to pass the accompanying bills into laws of the State.

“ Forgery, and the counterfeiting of coins and bank bills, perjury and subornation of perjury, and the different species of larceny, are the offences which seem to call most loudly for further Legislative provisions. The penalties contemplated to be enacted for those offences by the enclosed bills, although considerably exceeding

the provisions of existing laws, are yet far below the degree of severity with which neighboring States have thought it necessary to punish the like offences.

We have the honor to be your Excellency's
obedient servants.

SIGNED,

JEREMIAH MASON,
JOHN GODDARD,
DANIEL WEBSTER.

Voted, that Messrs Jackson and Vose with such as the House of Representatives may join, be a committee to take into consideration the Bills reported by the committee, appointed by the General Court at their last Session, to revise the code of criminal laws and prepare police laws for the regulation of the State Prison, and report thereon. Sent down for concurrence.

A vote for a committee to nominate a suitable person to preach an Election Sermon in June next, and report thereon, was brought up, read and concurred :

Mr. Adams joined.

A vote granting a day of hearing on the petition of Thomas P. Richardson and others, before the General Court on the first Tuesday of their next Session, was brought up, read and concurred.

A vote for a committee to consider the petition and memorial of Jonathan Rollins, and report thereon, was brought up, read and concurred :

Messrs. Sanborn and Adams joined.

A vote granting a day of hearing on the petition of Phineas Falch and others, before the General Court on the first Tuesday of their next Session, was brought up, read and concurred.

A bill entitled, "An Act for incorporating certain persons by the name of the Proprietors of the Social Library in Rye," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act for incorporating certain persons by the name of the Charlestown Social Library." was brought up, and having been read a third time, was enacted.

Presented and approved.

Message by Mr. Badger :

" Mr. President,

" The House of Representatives are now ready to meet in convention to proceed in the public hearings. And he withdrew.

The Senate met the Honorable House in convention, and after attending to the hearing on the petition of the inhabitants of Gilmanton, the convention arose with leave to sit again, and the Senate returned to their chamber.

A vote for a committee to consider the petition of William Crombie and another, and report thereon, was brought up, read and concurred :

Mr. Fisk joined.

A vote for a committee to consider the petition of S. Buckminster and others and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

Adjourned to eight o'clock to-morrow morning.

THURSDAY, JUNE 11, 1812.

Met according to adjournment.

Present as on yesterday.

A vote granting the prayer of the petition of Ebenezer Eastman and David Chafe, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of

Thomas Thompson, jun. and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

A resolve, that the account of Samuel Sparhawk, Esq. amounting to twenty nine dollars, sixty cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote that the remainder of the hearings, which were to have been yesterday before the General Court, be postponed to this day, of which all persons concerned are to take notice and govern themselves accordingly, was brought up, read and concurred.

A vote granting the prayer of the petition of Ebenezer Smith and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of Rebekah White and others, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to take into consideration the communication of Nathaniel Gilman, Esq. Treasurer of this State, and report thereon, was brought up, read and concurred :

Mr. Sanborn joined.

Message by Mr. Young :

“Mr. President,

“The House is now ready to meet in convention, to proceed in the public hearings, agreeable to the order of the day.” And he withdrew.

The Senate met the Honorable House in convention, proceeded to a hearing on the petition of Abner Watkins, agent for Kearsarge Gore, and a partial hearing on the petition of Asa Blodgett and others, when the convention arose with leave to sit again, and the Senate returned to their chamber.

A vote granting the prayer of the petition of David Dexter and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of the petition of John Hanson, with liberty to bring in a bill, was brought up, read and concurred.

A vote that the communication of His Excellency the Governor, be referred to the committee on the Militia laws and that they report thereon, was brought up, read and concurred.

A vote granting a day of hearing on the petition of Samuel Stevens and others, before the General Court, on the first Tuesday of their next Session, was brought up, read and concurred.

A bill entitled, "An Act authorizing the Selectmen of Jefferson to assess and collect a tax of two cents per acre on each acre of land in said town," was brought up, and having been read a third time was enacted.

Presented and approved.

A vote for a committee to consider the account of the Hon. John Langdon, and the documents accompanying the same, and report thereon, was brought up, read and concurred :

Mr. Plumer joined.

Message by Mr. Morrill :

"Mr. President,

"The House is now ready to meet in convention to proceed in the public hearings, agreeable to the order of the day." And he withdrew.

The Senate met the Honorable House of Representatives in convention, when the hearing on the petition of Asa Blodget was finished, and a hearing on the petition of Richard H. Ayer and others. The convention then arose with leave to sit again, and the Senate returned to their chamber.

The following communication was received from His Excellency the Governor by Samuel Sparhawk, Esq. Secretary of State.

To the Senate and House of Representatives,

I herewith communicate to the Legislature, for their consideration, a letter from the agents for building the State Prison; and a copy of the rules and regulations for the government of the Massachusetts State Prison.

WILLIAM PLUMER.

June 11, 1812.

Voted, That the communication from His Excellency the Governor, and the documents accompanying the same, be referred to the committee to take into consideration the bills reported by the committee appointed by the General Court at the last session, to revise the code of criminal laws, and prepare police laws for the regulation of the State Prison, and that they report thereon. Sent down for concurrence.

A vote that Messrs. Parsons and Toppan, be added to the committee on the petition of John Goddard and others, respecting the New Hampshire Union Bank in Portsmouth, was brought up, read and concurred.

The committee appointed to take up the subject of the necessity of two sessions of the General Court the present year, and the propriety of taking a new proportion of public taxes if two sessions are deemed necessary, Reported, "That it is expedient and necessary that there be two sessions of the General Court the present year; and that there is a propriety in taking a new proportion of public taxes the present year." Which report was accepted, brought up, read and concurred.

A vote for a committee to consider the petition of Asahel Hunt, and report thereon, was brought up, read and concurred:

Mr. Vose joined.

A vote granting the prayer of the petition of John Mann and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of the petition of William Crombie and another, with liberty to bring in a bill, was brought up, read and concurred.

Adjourned to eight o'clock to-morrow morning.

FRIDAY, JUNE 12, 1812.

Met according to adjournment.

Present as yesterday.

A vote that the hearing on the petition of Hardy Ropes, of James H. Bingham, of the Selectmen of Walpole, and the Selectmen of Jefferson, which were to have been heard before the General Court on the first Tuesday of the present session, be postponed to the first Tuesday of the next session, and that the petitioners severally give the same notice as was heretofore ordered, was brought up, read and concurred.

A vote that the hearing on the petition of David Smiley and others, which was to have been the first Tuesday of the present session, be postponed to the first Tuesday of the next session, and that the petitioners cause that the Selectmen of Alexandria, New-Chester and Bridgewater, be served with a copy of the petition and order of Court thereon, some time in the month of September next, that any persons may appear and shew cause if any they have, why the prayer should not be granted, was brought up, read and concurred.

A vote that the remainder of the hearings on petitions, which were to have been yesterday before the General Court, be postponed to this day, of which, all persons

concerned are to take notice and govern themselves accordingly, was brought up, read and concurred.

A vote that the hearing on the petition of the Selectmen of New-Market and Stratham, which was to have been the first Tuesday of the present session, be postponed to the first Tuesday of the session of the General Court to be holden in June 1813, and that the same order of notice be observed previous to the hearing, as was heretofore ordered, was brought up, read and concurred.

A vote granting the prayer of the petition of Carr Leavitt and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to report what compensation shall be made to the officers of the Civil List the present year; what compensation shall be made to the members of the Honorable Council, Senate and House of Representatives and their officers, for travel and attendance the present session; and what compensation shall be made to the Honorable Council when called together in the recess of the Legislature; and also report what business is necessary to be taken up and acted upon the present session, and to what time and place the Legislature shall adjourn, was brought up, read and concurred:

Messrs Quarles and Kimball joined.

A vote granting the prayer of the petition of Abner Watkins agent for Kearsarge Gore so far, that the petitioner have leave to introduce a resolve empowering Joseph Colby of New-London, Joshua Darling of Heniker and Bradstreet Moody of Sandbornton, Esqs. a committee at the expence of the petitioner, to settle the jurisdictional lines mentioned in said petition, and make report thereon at the next session of the General Court, was brought up, read and concurred.

A vote granting the prayer of the petition of Richard H. Ayer and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote that the account of David Barker, Esq. be referred to the committee on the account of Thomas Bellows, Esq. and that they report thereon, was brought up, read and concurred.

A vote granting a day of hearing on the petition of S. Buckminster and others, before the General Court on the first Tuesday of their next session, was brought up, read and concurred.

A vote granting a day of hearing on the petition of Afabel Hunt, before the General Court on the first Tuesday of their next session, was brought up, read and concurred.

A vote for a committee, to make enquiry into the state of the small arms belonging to the State of New-Hampshire, and the accoutrements belonging to the same; also, whether the State of New-Hampshire has received its proportion of the appropriations of the United States for arming the Militia, and report thereon, was brought up, read and concurred:

Mr. Quarles joined.

The following communication was received from His Excellency the Governor, by the Secretary.

To the Senate and House of Representatives.

I herewith communicate to the Legislature for their consideration, certain laws and resolutions passed by the Legislatures of Georgia, North-Carolina, Tennessee Virginia and Vermont, upon the subject of amendments of the Constitution of the United States, together with letters from the executive officers of those States.

WILLIAM PLUMER.

June 12, 1812.

Voted, That Messrs. Kimball and Ham, with such as the House of Representatives may join, be a committee to take into consideration certain laws and resolutions passed by the Legislatures of Georgia, North-Carolina, Tennessee, Virginia and Vermont, and other documents accompanying the same, communicated this day by His Excellency the Governor, and report thereon. Sent down for concurrence.

A vote for a committee to consider what alterations are necessary to be made in the manner of transacting County business, and of examining and allowing County accounts, and that they report thereon, was brought up, read and concurred.

Messrs. Vose and Plumer joined.

A vote for a committee to consider the account of Samuel Sparhawk, Esq. and that they report thereon, was brought up, read and concurred :

Mr. Folsom joined.

A resolve, that Levi Willard, Esq. be allowed twenty five dollars in full of his account, and that said sum be paid him out of the Treasury, was brought up read and concurred.

Presented and approved.

A resolve, that William Tarlton, Esq. be allowed eighteen dollars in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Benjamin Peirce, Esq. be allowed eighteen dollars in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that David Barker, Esq. be allowed sixteen dollars in full of his account, and that said sum be

paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Josiah Butler, Esq. be allowed nine dollars in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Thomas Bellows, Esq. be allowed ten dollars, forty cents in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote granting a day of hearing on the petition of Robert Pike and others, before the General Court, on the first Tuesday of their next session, was brought up, read and concurred.

A vote for a committee to consider the petition of Micah Eldridge, and report thereon, was brought up, read and concurred : Mr. Fisk joined.

A bill entitled, "An act in addition to an act entitled an act to incorporate certain persons by the name of Hindisdale Bridge and the sixth New-Hampshire Turnpike Corporation," passed June 17th. Anno Domini 1802, was brought up, and having been read a third time, was enacted.

Presented and approved.

A vote for a committee to take into consideration the statement of the Treasury ; also, so much of His Excellency's speech, as relates to a State tax, what sum is necessary to be appropriated for the completion of the State Prison, and the Treasurer's statement respecting debts due to the State, which probably cannot be col-

lected, and report thereon, was brought up, read and concurred :

Messrs. Kimball and Quarles joined.

The following communication was received from His Excellency the Governor, by Samuel Sparhawk, Esq. Secretary ;

To the Senate and House of Representatives.

The late Governor of this State received a box purporting to be laws of the United States, for the use of this State : they are now in the court house ready for the disposal of the Legislature.

WILLIAM PLUMER.

Council Chamber, June 12, 1812.

Voted, That Mr. Ham, with such as the House of Representatives may join, be a committee to take into consideration the communication of His Excellency the Governor, respecting the laws of the United States, and report thereon. Sent down for concurrence.

Message by Mr. Morrill :

“ Mr. President,

“ The House of Representatives are now ready to meet in convention to proceed in the public hearings agreeable to the order of the day.” And he withdrew.

The Senate met the Honorable House in convention, and after a hearing on the petition of Sophia Stevens and others, the convention arose with leave to sit again, and the Senate returned to their chamber.

A vote for a committee to consider the petition of Stephen H. Whiting and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

The committee appointed to consider the account of the officers of the company of Artillery annexed to the 23d Regiment, Reported—

That it is inexpedient to allow the account referred to them from the officers of the 23d Regiment, without some special law upon that subject. Which report was accepted, brought up, read and concurred.

Adjourned to eight o'clock to-morrow morning.

SATURDAY, JUNE 13, 1812.

Met according to adjournment.

Present as yesterday.

A vote that the remainder of the hearings, which were to have been yesterday before the General Court, be postponed until this day, of which all persons concerned are to take notice and govern themselves accordingly, was brought up, read and concurred.

A vote for a committee to consider the petition of Timothy Dix, jun. and report thereon, was brought up, read and concurred :

Mr. Adams joined.

A vote that the hearing on the petition of Albe Cady and others, which was to have been before the General Court on the first Tuesday of the present session, be postponed to the first Tuesday of their next session, and that notice be given the like term of time and in the same manner previous to said hearing, as was heretofore ordered, was brought up, read and concurred.

A bill entitled, "An Act to incorporate certain persons by the name of the Charlestown Engine Company," was brought up, and having been read a third time was enacted.

Presented and approved.

A vote for a committee to consider the petition of John Wheelock and Thomas W. Thompson, Esqs:

and report thereon, was brought up, read and concurred:

Messrs. Sanborn and Jackson joined.

A vote granting the prayer of the petition of Micah Read and Levi Ware, with liberty to bring in a bill, was brought up, read and concurred.

A resolve, that it is expedient in every charter of incorporation hereafter to be enacted, except town and parish corporations, they should contain a claim, reserving to the State of New-Hampshire, the right to resume the charter whenever the good of said State shall require it: *Provided*, no charter of incorporation be repealed, without the concurrence of two thirds of each branch of the Legislature, was brought up, read and non-concurred.

A vote granting the prayer of the petition of Sophia Stevens and others, with liberty to bring in a bill, was brought up, read and concurred.

Adjourned to Monday next, three o'clock, P. M.

MONDAY, JUNE 15, 1812.

Met according to adjournment.

Present as on Saturday.

A vote that the hearing on the petition of Isaac Hagar and others, which was to have been before the General Court on the first Tuesday of the present session, be postponed to the first Tuesday of their next session, and that the same order of notice be observed by the petitioners as was heretofore ordered, was brought up, read and concurred.

A bill entitled, "An Act to incorporate certain persons by the name of the Proprietors of the Winchester

Factory," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act making a grant in a certain case to Jonathan Willard, Lewis Howe, Franklin Howe, and Edward Howe," was brought up, and having been read a third time was enacted.

Presented and approved.

A bill entitled "An Act to incorporate John L. Sullivan and others, by the name and style of the Merrimack Boating Company," was brought up, and having been read a third time was enacted.

Presented and not approved.

A vote for a committee to consider the petition of Thomas Ward and others, and report thereon, was brought up, read and concurred :

Mr. Sanborn joined.

A vote for a committee to consider the petition of Asa Nichols and others, and report thereon, was brought up read and concurred :

Mr. Jackson joined.

A vote for a committee to consider the petition of Lewis Johnson, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to consider the petition of Asa Story and others, and report thereon, was brought up, read and concurred :

Mr. Quarles joined.

A resolve, that His Excellency the Governor be, and he is hereby authorized to draw on the Treasurer, for a sum of money sufficient to purchase two suitable pieces of ordnance and apparatus—one piece for the fifteenth regiment, and one for the thirty-fifth regiment,

for the respective companies of Artillery in said regiments, was brought up, read and concurred.

Presented and approved.

A vote that the petition of Jonathan Payson, be referred to the committee on the Militia laws, and that they report thereon, was brought up, read and concurred.

A vote granting a day of hearing on the petition of Richard Morrill and others, before the General Court, on the first Tuesday of their next session, was brought up, read and concurred.

A vote for a committee to consider the petition of Ezra Parker and others, and report thereon, was brought up, read and concurred :

Mr. Quarles joined.

A vote for a committee to consider the Message of His Excellency the Governor, and report thereon, was brought up, read and concurred :

Messrs. Vose and Folsom joined.

The committee, appointed to draft an answer to the address of His Excellency the Governor, reported, that they have attended to their duty, and present the following :

May it please your Excellency,

YOUR fellow-citizens of the Senate of New Hampshire tender you their sincere gratulations on your election to the Chief Executive Magistracy of this State.

At this eventful moment, it affords them, in common with their brethren throughout the State, the highest satisfaction to view in their Chief Magistrate a fellow-citizen, whose patriotism, integrity and talents afford the most indubitable pledge, that the vindication of the rights, and the promotion of the happiness of those over whom he presides, will ever be the high-

est object of his ambition, and engage his most anxious and unremitting exertions.

The Senate cordially unite with your Excellency in bestowing the meed of merited praise on your venerable predecessor in office, whose long and faithful services endear his name to his fellow-citizens, and ensure him in retirement the best wishes of his grateful country.

The measures pursued by our National Government at all times claim our attention ; but, at a crisis like the present, when the state of our foreign relations threatens the most alarming evils, they assume a peculiar interest, and excite our most anxious solicitude.

Far removed from the corrupted and corrupting governments of Europe, the United States have wished to pursue an enlightened, peaceful and impartial policy towards all nations, whilst in return they have experienced the most aggravated and outrageous acts of injustice from the belligerents. They have seemed to vie with each other in the most atrocious and unexampled aggressions on our lawful and neutral commerce, in the capture and detention of our citizens, and in the most flagrant violation of our national rights.

If the government of France has either, from a returning sense of justice, or from motives of policy, refrained from further aggression, she still withholds that reparation for injuries and depredations already committed, which our Government, firm and decided as it is just, has demanded ; and will, we trust, eventually obtain.

From Great Britain we have long experienced an unremitting and systematic course of measures, alike hostile to our commercial interests and our national rights.

She has captured and condemned our ships on pretexts equally inconsistent with natural justice and the most clear and acknowledged principles of the law of nations.

She has impressed our seamen, held them in the most degrading bondage, and compelled them to fight her battles.

Our citizens have been encouraged and invited to violate our laws ; laws which her injustice had rendered necessary.

Her agents have been secretly employed in exciting our citizens to treasonable combinations against their own government, at a time when she was making the most solemn professions of friendship towards us.

Her wrongs and injustice have followed one another in continued succession and increasing magnitude, until we are reduced to the alternative, either to surrender those rights for which our fathers bravely fought, or prove our claim to be considered their legitimate descendants, by buckling on the shield and drawing the sword in their defence. Betwixt abject submission and an appeal to the sword freeborn Americans cannot, for a moment, hesitate in making a choice :—our government have made the election, have pronounced "**WAR RATHER THAN SUBMISSION ;**" and every genuine American voice has already added its sanction.

We would still hope that Great Britain and France would stop in their mad career of injustice and hostility, and thus prevent the necessity of an appeal to arms ; but should it prove otherwise, your Excellency may be assured, the citizens of New-Hampshire will take no council from fear ; but, confiding in the justice of their cause, the virtue and valor of her sons, and the

guardianship of that Providence which presides over the destinies of nations, as in the days which are past, bravely meet and repel our haughty and oppressive foes.

However foreign nations may have flattered themselves that we are a divided people, incapable of supporting the government of our own choice, we trust the morning already begins to dawn, and the day to approach, when the great body of the American people will wipe away the foul aspersions, and show the world, that they have in no wise forfeited their character for virtue, intelligence and love of country.

The Senate duly appreciate the importance of the Militia, as the natural and sure defence of our country's rights, and with your Excellency feel it their duty to give their utmost aid to promote its most perfect organization and effective discipline.

Heirs of a country blest with a variety of climates, and a soil adapted to the production of every material for supplying the necessities and conveniences of life ; a people second to none on earth in enterprise, industry and ingenuity in the mechanic arts ; the time we believe rapidly approaches, when we shall cease to look to any foreign nation for those things which contribute to the happiness of civilized man.

It will be our greatest pleasure as it is our duty, to aid in extending patronage to Agriculture and to those Manufactures which will render us truly independent of foreign nations.

Virtue and knowledge are the fair pillars which must support, as well as adorn our republican institutions. A legislative attention to them is requisite, continued in proportion to their importance.

To the other very important subjects submitted to

their notice in your Excellency's communication, the attention of the Senate will be duly directed.

Confident that we shall experience your Excellency's cheerful co-operation in every measure tending to promote the happiness of our beloved country, and in humble reliance upon that superintending Providence which, in times past, has so signally interposed for our deliverance from tyranny and oppression, and from a handful of people has made us a numerous, powerful and happy nation—we enter with alacrity upon the duties assigned us by our fellow-citizens, and tender your Excellency our most cordial wishes for your health and happiness.

After reading the foregoing answer, Mr. Vose moved to strike out the following section, viz.

“ If the government of France has either, from a returning sense of justice, or from motives of policy, refrained from further aggression, she still withholds that reparation for injuries and depredations already committed, which our Government, firm and decided as it is just, has demanded ; and will, we trust, eventually obtain.”

The yeas and nays being required—

Those who voted in the affirmative are,

Mr. Adams,	Mr. Russell,
Jackson,	Vose.
Kimball,	

Those who voted in the negative are,

Mr. Darling,	Mr. Plumer,
Fisk,	Quarles,
Folsom,	Sanborn.
Ham,	

Yeas 5.

Nays 7.

So the motion for striking out did not prevail.

On motion of Mr. Quarles, to strike out the words "wish to" in the fifth section, and add the letter "d" to the word "pursue" in the same section.

On which motion, the yeas and nays were required, and it passed in the negative—Yeas 4, Nays 8.

Those who voted in the affirmative, are

Mr. Darling,	Mr. Ham,
Folsom,	Quarles.

Those who voted in the negative, are

Mr. Adams,	Mr. Plumer,
Fisk,	Russell,
Jackfon,	Sanborn,
Kimball,	Vose.

Motion was then made to accept the answer, as reported by the committee. Yeas and nays being required—

Those who voted in the affirmative, are

Mr. Darling,	Mr. Plumer,
Fisk,	Quarles,
Folsom,	Sanborn.
Ham,	

Those who voted in the negative, are

Mr. Adams,	Mr. Russell,
Jackfon,	Vose.
Kimball,	

Yeas 7.

Nays 5.

So the motion prevailed.

Voted, That the committee appointed to report an answer to His Excellency's address, present him with a copy of the same.

A resolve, that the Rev. Moses Bradford be allowed the sum of twenty dollars, as a compensation for preaching the Election Sermon the present year, and that

said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote that the petition of John Currier and others, be referred to the committee to take into consideration the act for the ease and relief of prisoners imprisoned for debt, and that they report thereon, was brought up, read and concurred.

Adjourned to eight o'clock to-morrow morning.

TUESDAY, JUNE 16, 1812.

Met according to adjournment.

Present as yesterday.

A vote for a committee to consider the petition of Ephraim Brown, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to consider the petition of Thomas Stickney and Pliny Cutler, and report thereon, was brought up, read and concurred :

Mr. Fisk joined.

A vote for a committee to consider the petition of Jacob Russell, and report thereon, was brought up, read and concurred :

Mr. Kimball joined.

A vote for a committee to consider the petition of Joseph Fifield and others, and report thereon, was brought up, read and concurred :

Mr. Russell joined.

A vote for a committee to take into consideration the expediency of making provision by law, for compelling towns to provide stocks of ammunition, and that they

have leave to report by bill or otherwise, was brought up read and concurred :

Messrs. Sanborn and Adams joined.

A bill entitled " An Act to change the name of Jonathan Odiorne Bodge, to that of Jonathan Odiorne," was brought up, and having been read a third time, was enacted. Presented and approved.

A vote granting a day of hearing on the petition of Francis Sawyer and Jacob Gerrish, before the General Court, on the first Tuesday of their next session, was brought up, read and concurred.

A vote granting the prayer of the petition of Stephen H. Whitney and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting a day of hearing on the petition of Thomas Thompson, jun. before the General Court, on the first Tuesday of their next session, was brought up, read and concurred.

A vote for a committee to consider the petition of Edward Reid and others, and report thereon, was brought up, read and concurred :

Mr. Folsom joined.

A vote that the petition of Benjamin Jenkins be referred to the committee on the militia law, and that they report thereon, was brought up, read and concurred.

A bill entitled, " An Act for incorporating certain persons by the name of the proprietors of the Chichester Musical Society," was brought up, and having been read a third time was enacted.

Presented and approved.

A bill entitled, "An Act to equalize the rates of toll of Orford Bridge," was brought up, and having been read a third time was enacted.

Presented and approved.

A vote that Messrs. M'Clary, Cilley and Thayer, be added to the committee on the petition of John Goddard, Esq. was brought up, read and concurred.

A bill entitled, "An Act to incorporate the inhabitants of the northerly part of Gilmanton, into a separate town, with all the privileges and immunities of other towns in this State," was brought up, and having been read a third time, was enacted.

Presented and approved.

A vote for a committee to consider the petition of Samuel Shepard and others, and report thereon, was brought up read and concurred:

Mr. Fisk joined.

A vote granting the prayer of the petition of John Blake, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of the petition of Jonathan Smith, jun. with liberty to bring in a bill, was brought up, read and concurred.

A resolve, that Samuel Sparhawk, Esq. be allowed one hundred and forty five dollars and sixty cents, in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A bill entitled, "An Act to incorporate William Crombie and Thaddeus Kendall, and their associates, by the name of the New Boston Wire and Iron Manufactory Company," was brought up, and having been read a third time was enacted.

Presented and approved.

A vote granting the prayer of the petition of the Selectmen of Dover, with liberty to bring in a bill, was brought up, read and concurred.

A vote for a committee to consider the petition of

Timothy Tilton and others, and report thereon, was brought up, read and concurred :

Mr. Plumer joined.

A vote granting the prayer of the petition of Thomas Stickney and Pliny Cutler, with liberty to bring in a bill, was brought up, read and concurred.

A resolve, that the account of Stephen Blanchard, amounting to one dollar, fifty cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the account of Josiah Bartlett, amounting to three dollars, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that His Excellency the Governor of the State of New Hampshire, have and receive twelve hundred dollars as a salary from June 1812, to June 1813, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Daniel French, Esq. Attorney General, have and receive, six hundred dollars as a salary, from June 1812, to June 1813, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Nathaniel Gilman, Esq. Treasurer of this State, have and receive, eight hundred dollars as a salary, from June 1812, to June 1813, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Samuel Sparhawk, Esq. Secretary of this State, have and receive four hundred dollars as a salary from June 1812, to June 1813, and that said

sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that William Ham, jun. Commissary General, have and receive forty dollars as a salary from June 1812 to June 1813, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that each member of the Honorable Council receive two dollars per day, during the sitting of the Legislature, and two dollars and fifty cents per day each, when called together in the recess of the General Court; that the members of the Legislature receive two dollars per day for each day's attendance; the President of the Senate and Speaker of the House of Representatives receive two dollars and fifty cents per day each; the Clerks of the Senate and Clerks of the House of Representatives receive two dollars and fifty cents per day each:—That each member of the several branches of Government and their officers before mentioned, and also the Honorable Council at their special sessions, be allowed eight cents per mile for their travel to and from the place of sitting; and that the Clerk of the House of Representatives be allowed one day extra pay for making up the rolls, was brought up, read and concurred.

Presented and approved.

A resolve, that Nathaniel Gilman, Esq. be requested to inquire into the title of the land conveyed in a mortgage by Benjamin Strong of Stratford, in the county of Coos, dated May 9, 1809, as surety for the payment of a sum of money due from him to this State, if the said Gilman shall be of opinion that the action can be

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supported for the recovery of the possession of said land, he be requested to cause a suit to be commenced and prosecuted for that purpose.

And be it further resolved, that the said Nathaniel Gilman, Esq. be requested to cause the two notes against Timothy Dix, Esq. mentioned in his communication, to be put in suit for collection, unless the same be paid by ~~the~~ said Dix immediately, or satisfactory assurance be given to the said Gilman, that the same will be paid in thirty days, was brought up, read and concurred.

Presented and approved.

A resolve, that Samuel Sparhawk, Esq. have and receive the sum of thirty dollars nineteen cents, in full of the balance due to him on the account of the Hon. John Langdon, for contingent expenses of the last year; and that the same be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

The committee appointed to consider the petition of Jonathan Rollins, Reported—

That full proof was produced to them, that said Rollins was tried by a partial and improper tribunal, and that he ought to have a re-hearing; and to that end it is proper that the Legislature pass an act directing the Major General of the first division to appoint a Court Martial to review the proceedings of the said tribunal with power to affirm or reverse its sentence as justice shall direct—which report was accepted, brought up, read and concurred.

Adjourned to eight o'clock to-morrow morning.

WEDNESDAY, JUNE 17, 1812.

Met according to adjournment.

Present as yesterday.

The committee appointed to consider the petition of Jacob Trussell, Reported—That the further consideration of said petition be postponed until the first Tuesday of the next session of the General Court, and that the petitioner procure a certificate from the Justices of the Court of Common Pleas for the county of Grafton, approving or disapproving of the disposal of said land as mentioned in said petition, which report was accepted, brought up, read and concurred.

A bill entitled, "An Act to authorise the town of Sullivan to choose a Representative," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act to repeal the act, made and passed February 28th, 1794, entitled "An act establishing a road laid out from Hale's Bridge, to called, in the county of Cheshire, to Chester in the county of Rockingham," was brought up, and having been read a third time, was enacted.

Presented and approved.

Voted, That the Hon Messrs. Vose and Jackson, with such as the House of Representatives may join, be a committee to take into consideration the communication this day received from His Excellency the Governor, and the letter from the Chief Justice of the Superior Court of Judicature accompanying the same. Sent down for concurrence.

The committee appointed June session 1811, to settle the jurisdictional line between the towns of Bradford and Filhersfield, made the following report:—

" That on the eleventh day of September, 1811, they established the south west corner bound of Fishersfield ninety-six rods southerly of the supposed corner at a large beech tree marked R. B. E. B. and T. W. on Goshen east line ; from thence they run north about eighty-one degrees east five miles, two hundred and sixty rods, marking trees and erecting suitable monuments for a line, to the south west corner of Sutton ; which line they established for the northerly line of Bradford and the southerly line of Fishersfield. Which report is respectfully submitted by

RICHARD BARTLETT, }
THOMAS WADLEIGH, } Committee."

Which report was accepted, brought up, read and concurred.

A bill entitled, " An act to incorporate a company by the name of the Proprietors of the Londonderry Branch Turnpike Corporation," was brought up, and having been read a third time, was enacted.

Presented and approved.

The committee appointed to take into consideration the laws for regulating the Militia, reported the militia laws as amended, viz. 12th section, seventh and eighth lines, that the word *and* be struck out, and the word *or* be inserted ; and after the word *October*, the words *one in a year* be added : and that to the 38th section the following clause be added, " which fines shall be recoverable by a warrant to be issued by the President of the Court Martial in the same manner pointed out by this act for non-appearance, except the giving of fifteen day's notice, which shall be left discretionary with the Court Martial, and the fines shall be appropriated in the same manner as other fines accruing from this act."

Which report was accepted, brought up, read and concurred.

The committee on the petition of Jonathan Paylon, reported—That the further consideration of said petition be postponed to the next session of the General Court.

Which report was accepted, brought up, read and concurred.

A bill entitled, "An act to incorporate Carr Leavitt and others, into a religious society, to be called and known by the name of the First Free-will Baptist Society in Effingham," was brought up, and, having been read a third time, was enacted.

Presented and approved.

A vote granting the prayer of the petition of Charles G. Haines and others; with liberty to bring in a bill, was brought up, read and concurred.

A bill entitled, "An act to incorporate certain persons by the name of the Canterbury Franklin Historical Library," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act to alter the name of Nathan Babbett, jun. to Nathan Godfrey Babbett," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act to incorporate certain persons by the name of the Benevolent Lodge in Amherst," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act authorizing the Judge of Probate for the county of Cheshire to allow the Com-

missioners on the estate of Alpheus Reed, late of Westmoreland, in said county, deceased, a further time of six months for receiving, examining and adjusting the claims of the creditors to said estate," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act to alter the name of Joseph Stone to Joseph Milton," was brought up, and having been read a third time, was enacted.

Presented and approved.

A vote, that the clerk of the Senate and the clerk of the House of Representatives, make up their respective rolls for the attendance of the Legislature the present session, including Friday next, was brought up, read and concurred.

A vote for a committee to consider the petition of Isaac Hill, and report thereon, was brought up, read and concurred :

Mr. Jackson joined.

The committee appointed to take into consideration the communication of His Excellency the Governor, respecting the laws of the United States, reported—
"That they have opened the box containing the laws of the United States, and find two hundred and eighty copies of the acts passed at the first and second sessions of the eleventh Congress, to be distributed as follows :
One copy to His Excellency the Governor, and each member of the Honorable Council ; one to the Secretary and Treasurer, one to the President of the Senate, and one to each member of the Senate, one to each Clerk of the Senate, one to the Speaker of the House of Representatives, one to each Representative for the use of the town he represents, one to each Clerk of the House, one to each of the Justices of the Superior Court, one to each of the Justices of the County Courts,

one to the President of Dartmouth College, and one to each of the Probate Judges."

Which report was accepted, brought up, read and concurred.

A resolve, that the Secretary of this State be ordered to deliver to one of the Representatives of the town of Gilmanton, the last edition of the laws of this State, and the additional laws since passed, to be delivered to the town of Gilford, for the use of said town, was brought up, read and concurred.

Presented and approved.

A resolve, that Philip Carrigain be allowed to take from the Secretary's office the original plan of the State, and such other papers as he may deem necessary for the completion of the Map of the State, at any time between this and the next session of the Legislature, and have the use of the same for a time not to exceed ten days at any one time, was brought up, read and concurred.

Presented and approved.

A vote granting the prayer of the petition of Jacob Shepherd and others, with liberty to bring in a bill, was brought up, read and concurred.

A resolve, that S. Whidden have and receive the sum of six dollars and fifty cents, in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that William Weeks have and receive the sum of thirty-five dollars fifty cents, in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

The committee appointed to nominate a suitable person to preach an election sermon in June next,

nominate and report, the Rev. John H. Church, of Pelham, for that purpose, which report was accepted, and voted that His Excellency the Governor be requested to give the necessary information, was brought up, read and concurred.

A bill entitled, "An Act to incorporate a company by the name of the Andover Turnpike Corporation," was brought up, and having been read a third time was enacted.

Presented and approved.

Adjourned to eight o'clock, to-morrow morning.

THURSDAY, JUNE 18, 1812.

Met according to adjournment.

Present as yesterday.

A bill entitled, "An Act in addition to an act entitled an act, prescribing the duty and regulating the office of Sheriff," was brought up, and having been read a second time :—Voted, that said bill should not pass to a third reading.

On motion,

Voted, to re-consider the foregoing vote.

A bill entitled, "An Act authorizing John Hanfon to assume and bear the name of John Twombly Hanfon," was brought up, and having been read a third time, was enacted.

Presented and approved.

A vote granting the prayer of the petition of the Students of Atkinson Academy, was brought up, read and non-concurred.

A bill entitled, "An Act to alter the name of John

Blake, to John Lauris Blake," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act granting a re-hearing to Jonathan Rollins," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act to incorporate a company by the name of the Amherst Turnpike Corporation," was brought up, and having been read a third time, was enacted.

Presented and approved.

A vote granting the prayer of the petition of Lot Woodbury and others, with liberty to bring in a bill, was brought up, read and concurred.

A vote granting the prayer of the petition of Joseph Fifield and others, with liberty to bring in a bill, was brought up, read and concurred.

A bill entitled, "An Act directing the mode of balloting for and appointing Electors of this State for the election of a President and Vice President of the United States," was brought up, and having been read a third time, motion was made that said bill pass to be enacted; the yeas and nays being required, it passed to be enacted, there being 12 yeas.

Presented and approved.

A resolve, that I. & W. R. Hill have and receive the sum of four hundred, thirty nine dollars and seventy five cents, in full of their account, and that said sum be paid them out of the Treasury, was brought up and read, when motion was made to amend the sum, striking out the words, "*thirty nine dollars and seventy-five cents*;

The yeas and nays being required—

Those who voted in the affirmative are,

Mr. Adams,	Mr. Russell,
Jackson,	Sanborn,
Kimball,	Vose.

Those who voted in the negative are,

Mr. Darling,	Mr. Ham,
Fisk,	Plumer,
Folsom,	Quarles.

Yeas 6.

Nays 6.

So the motion did not prevail.

The Senate then concurred with the Honorable House in said resolve.

Presented and approved.

A vote for a committee to report, what compensation shall be made the Rev. Mr. M'Farland, for officiating as chaplain the present session, was brought up, read and concurred :

Mr. Vose joined.

A resolve that His Excellency the Governor be and he hereby is authorized to draw on the Treasurer for a sum of money, not exceeding one thousand dollars, for the purpose of defraying the contingent expences which may accrue the present year, was brought up, read and concurred. Presented and approved.

A resolve, that the sum of ten thousand, three hundred dollars, be and it is hereby appropriated the present year, to the erection of a State Prison of stone, in the town of Concord, in the County of Rockingham ; and that the Treasurer of the State, be and he hereby is authorized, to borrow for said purpose, a sum not exceeding five thousand dollars on the credit of the State, at a rate of interest not exceeding usual bank interest, for a term of one year, and that the sum of five thousand dollars, part of the thirty thousand dollars tax payable into the Treasury in November next, be pledged for the

repayment of said sum to be borrowed as aforesaid; and and that the remainder of the aforesaid sum of ten thousand and three hundred dollars, be paid from any unappropriated money in the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the Governor with advice of the Council draw upon the Treasurer in favor of Benjamin B. Darling of Hopkinton, William A. Kent and Jeremiah Pecker of Concord, Esqs. agents of the State to erect a State Prison, the present year, when thereto requested by said Darling, Kent and Pecker, for a sum not exceeding ten thousand, three hundred dollars, was brought up, read and concurred.

Presented and approved.

A resolve, that the sum of one thousand, two hundred dollars be, and it hereby is appropriated for the purpose of providing cloths, victuals, stock and tools, for prisoners, who may be in the State Prison the present year, and furniture for the Directors' room and kitchen, and that his Excellency the Governor be, and he hereby is authorized to draw on the Treasurer, in favor of the Directors of said Prison, when requested by them, for a sum not exceeding one thousand, two hundred dollars, was brought up, read and concurred.

Presented and approved.

A bill entitled, "An Act to incorporate the proprietors of Stevens' Bridge," was brought up, and having been read a third time was enacted.

Presented and approved.

A bill entitled, "An Act to incorporate Thomas Stickney and Pliny Cutler, by the name of the Manchester Cotton and Woollen Manufacturing Company," was brought up, and having been read a third time, was enacted.

Presented and approved.

A resolve that His Excellency the Governor be required, to issue precepts to the Selectmen of the several towns, parishes, plantations and places in this State, directing said Selectmen, to notify in the manner prescribed by law, the inhabitants of said towns, parishes, plantations and places qualified to vote in the choice of Senators in the State Legislature, to assemble in their respective towns, parishes, plantations or places, on the first Monday in November next, to elect by ballot, six persons duly qualified for Representatives in the thirteenth Congress of the United States, was brought up, read and concurred.

Presented and approved.

A resolve, that the managers of the Haverhill Academy Lottery, be allowed a further time and till the first day of December next to collect in the residue of their tickets, and account in the premises to the Legislature at their next session, was brought up, read and concurred.

Presented and approved.

A vote granting the prayer of the petition of Thomas Ward, with liberty to bring in a bill, was brought up, read and concurred.

A bill entitled, "An act to incorporate fundry persons by the name of the proprietors of the Bath Slate Factory," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act to incorporate certain persons by the name of the Washington Library Association," was brought up, and, having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act providing for the regula-

tion and government of the State Prison," was brought up, and having been read a third time, was enacted.

Presented and approved.

Adjourned to seven o'clock, to-morrow morning.

FRIDAY, JUNE 19, 1812.

Met according to adjournment.

Present as yesterday.

A bill entitled, "An Act to extend the grant made to the Littleton Turnpike Corporation, June the 4th 1808, and to shorten the distance of said turnpike road," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act to incorporate Richard H. Ayer and others under the name and stile of the Win-nipfiogee River Canal Corporation," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An Act in addition to an act entitled an act directing the mode of choosing Representatives to the Congress of the United States," was brought up, and having been read a third time, was enacted.

Presented and approved.

A resolve, that the Selectmen, or a major part of them, at the charge of the town, parish or place to which they may belong, shall transmit the inventories of the polls and ratable estate of the several towns, parishes and places within this State, as taken for the current year, which inventory shall consist of all male polls from eighteen to seventy years of age, (except such from

eighteen to twenty-one as shall be enrolled in the militia, president, professors, tutors, instructors and students of Colleges, ordained ministers and preceptors of academies, paupers and idiots.) Also the following articles, of which each person shall have been possessed on the first day of April last, viz. orchard, arable, mowing and pasture land, accounting so much orchard as will in a common season produce ten barrels of cider, or perry, one acre ; so much pasture land as will summer a cow, four acres; and so much mowing land as will produce one ton of good English hay yearly, or meadow hay in proportion, one acre ; and so much arable or tillage land as will commonly produce twenty-five bushels of corn yearly, one acre ; in which is to be considered all land planted with Indian corn, potatoes and beans ; or sown with grain, flax or peas. All stud horses that have been wintered three winters, all other horses and mares, distinguishing those that have been wintered two, three, four and five winters, cows that have been wintered four winters, oxen that have been wintered five winters, and oxen that have been wintered four winters ; mules that have been wintered two winters, distinguishing those that have been wintered two, three or four winters ; and all jacks that have been wintered three winters. All wool-carding machines, mills, wharves and ferries, with the yearly rent thereof, (yearly repairs thereof being first deducted) according to the judgment of the persons taking the inventory. The sum total of the value of all real estate, viz. lands and buildings not included in the above mentioned articles, (exclusive of all toll-bridges) whether owned by residents or non-residents, except such as are appropriated to public use. The sum total of the value of all stock in trade, the sum total of all money on hand or at interest, more than the party pays interest for.

That the said Inventory, taken as above, be made agreeable to the following form, and be returned into the Secretary's office on or before the third Wednesday of November next.

<div>Polls from 18 to 70 years of age, excepting those from 18 to 21 enrolled in the militia, presidents, professors, tutors, instructors and students of Colleges, ordained ministers, preceptors of academies, paupers and idiots.</div>
<div>Acres of orchard land.</div>
<div>Acres of arable land.</div>
<div>Acres of mowing land.</div>
<div>Acres of pasture land.</div>
<div>Stud horses that have been wintered five winters.</div>
<div>Other horses and mares that have been wintered five winters.</div>
<div>Other horses and mares wintered four winters.</div>
<div>Other horses and mares wintered three winters.</div>
<div>Horses and mares wintered two winters.</div>
<div>Oxen wintered five winters.</div>
<div>Oxen wintered four winters.</div>
<div>Cows wintered four winters.</div>
<div>All neat stock wintered three winters.</div>
<div>All neat stock wintered but two winters.</div>
<div>Mules wintered four winters.</div>
<div>Mules wintered three winters.</div>
<div>Mules wintered but two winters.</div>
<div>Jacks wintered three winters.</div>
<div>Yearly rent or income of wharves, mills, ferries and wool-carding machines (yearly repairs deducted.)</div>
<div>Sum total of the value of buildings and real estate improved and owned by residents and non-residents, not included in the above.</div>
<div>Sum total of the value of all stock in trade.</div>

	Sum total of money at interest, including bank stock, stock in the funds, and securities for any kind of property at interest more than interest is paid for.
	Sum total of the value of all unimproved lands, owned by residents or non-residents.
	All chaises, coaches, fulkies and other wheel carriages for the conveyance of persons.

That in all cases where a copy of the inventory as taken in April last cannot be had, every person is requested to give in a true and faithful inventory of all the foregoing articles belonging to him respectively on oath, if required thereto by the person or persons taking said inventory ; who are hereby empowered to administer the same ; and on refusal or neglect thereof, the person or persons taking said inventory, are to set down to him or them, so refusing or neglecting, so much as in his or their judgment appears equitable by way of doomage.

That the Selectmen of the next oldest town to any town, parish or place where no selectmen are chosen, shall take an inventory of such town, parish or place, or appoint some person or persons in said towns, parishes or places to do the same, and return it as aforesaid ; for which they shall be paid an adequate reward out of the treasury on their account being exhibited and allowed by the General Court ; and also, that the Selectmen shall return distinctly the amount of footing of each column of their inventory taken in April 1811, so that the number of polls, horses, cattle, acres of land improved, value of unimproved lands, and all other ratable estate, inventoried and noted in each town, parish and place the last year, may appear ; also, make a return of what a single poll was taxed in the last State tax, was brought up, read and concurred.

A vote for a committee to consider the accounts of H. B. Chafe, Moses L. Neal and William Stickney, and report thereon, was brought up, read and concurred : Mr. Jackson joined.

A resolve, that the account of H. Evans amounting to fifteen dollars, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the door-keeper of the House be requested to have made, suitable shelves in the committee rooms, on which to place the Journals and laws ; and also to procure for the use of the members, six sets of the laws of this State, previous to the next session of the Legislature, was brought up, read and concurred.

Presented and approved.

A resolve, that the account of Nathaniel Weare, amounting to ten dollars twenty three cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote that the hearing on the petition of Isaac Kimball and others, which was to have been before the General Court on the first Tuesday of the present session, be postponed until the first Tuesday of their next session, and that the same order of notice be given, as was heretofore ordered, was brought up, read and concurred.

A bill entitled, "An Act in addition to an act entitled an act, prescribing the duty and regulating the office of Sheriff," was brought up, and having been read a third time, was enacted.

A vote granting a day of hearing on the petition of John Wilder, before the General Court, on the first Tuesday of their next session, was brought up, read and concurred.

On motion—

Voted, to re-consider the vote, passing the bill to be enacted, entitled, "An Act in addition to an act entitled an act prescribing the duty and regulating the office of Sheriff."

A bill entitled, "An Act in addition to an act, entitled an act prescribing the duty and regulating the office of Sheriff," was brought up, and having been read a third time, motion was made that said bill pass to be enacted, yeas and nays being required—

Those who voted in the affirmative are,

Mr. Adams,	Mr. Russell,
Jackson,	Sanborn,
Kimball,	Vose.

Those who voted in the negative are,

Mr. Darling,	Mr. Ham,
Filk,	Plumer,
Folsom,	Quarles.

Yeas 6.

Nays 6.

So the bill did not pass to be enacted.

A bill entitled, "An act for the punishment of certain crimes by solitary imprisonment and confinement to hard labor," was brought up, and having been read a third time, was enacted.

Presented and approved.

A bill entitled, "An act authorizing the town of Dover, in the county of Strafford, to choose one additional representative to the General Court for the residue of the current year," was brought up, and having been read a third time, was enacted.

Presented and approved.

A resolve, that the account of Edward Philbrick, amounting to thirty-seven dollars seventy-four cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the account of William Odlin, amounting to forty-seven dollars sixteen cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that H. B. Chase be allowed forty-two dollars sixty-three cents, in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that Moses L. Neal be allowed one hundred twenty-two dollars and fifty cents, in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the account of James Buswell, amounting to thirty-one dollars seventy-five cents, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that the Rev. Asa M^rFarland have and receive twelve dollars, for officiating as Chaplain the present session, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A resolve, that William Stickney be allowed twelve dollars, in full of his account, and that said sum be paid him out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote granting a day of hearing on the petition of Timothy Tilton and others, before the General Court on the first Tuesday of their next session, was brought up, read and concurred.

A vote for a committee to inquire into the sufficiency or insufficiency of the bondmen of the Sheriff of the county of Grafton, and report at the next session of the General Court, was brought up, read and concurred :

Mr. Russell joined.

A resolve, that the account of William Pickering, amounting to five dollars, be allowed and paid out of the Treasury, was brought up, read and concurred.

Presented and approved.

A vote, that the Secretary of this State be directed to procure the printing of the laws and journals of the Honorable Senate and House of Representatives of the present session ; provided he can procure the same for a sum not exceeding the proposal made by Mr. Hough, and that the Clerk of the Senate and Clerk of the House of Representatives furnish the Secretary with copies of their respective journals in season, that they may be printed and distributed at the next session of the General Court, was brought up, read and concurred.

A vote for a committee to inquire into the sufficiency or insufficiency of the bondmen for the Sheriff of the county of Rockingham, and report at the next session of the General Court, was brought up, read and concurred.

Mr. Sanborn joined.

A vote for a committee to wait on His Excellency the Governor and inform him, that the business of the present session is finished, and that the Legislature are ready to be adjourned to the third Wednesday of November next, then to meet at Concord, was brought up, read and concurred :

Messrs. Quarles and Jackson joined.

Message by Samuel Sparhawk, Esq. Secretary of State ;

“ Mr. President,

“ I am directed by His Excellency the Governor, to inform the Honorable Senate, that he has approved and signed all the bills and resolves which have been presented him the present session, except the bill entitled, “ An act to incorporate John L. Sullivan and others, by the name of the Merrimac Boating Company.”

“ I am directed also, to inform the Honorable Senate, that His Excellency, by virtue of the authority in him vested by the Constitution, and in conformity to a vote of the Legislature as expressed to him by a respectable committee of both branches, has adjourned the General Court to the third Wednesday in November next, then to meet at Concord.”

LIST

*Of Public Hearings granted by the Senate for the first
Tuesday in November Session, 1812.*

On the petition of Eleazer Spofford and Thomas
Bellows.

of Thomas P. Richardson and others.
of Phineas Falch and others.
of Samuel Stevens and others.
of S. Buckminster and others.
of Afahel Hunt.
of Robert Pike and others.
of Richard Morrill and others.
of Francis Sawyer and Jacob Gerrish.
of Thomas Thompson, jun.
of John Wilder.
of Timothy Tilton and others.

POSTPONED.

of Hardy Ropes.
of James H. Bingham.
of Selectmen of Walpole.
of Selectmen of Jefferson.
of David Smiley and others.
of Albe Cady and others.
of Isaac Hagar and others.
of Jacob Trussell.
of Isaac Kimball and others.
of Selectmen of New-Market and
Stratham, postponed to June Ses-
sion 1813.

